

Appl. No. 10/081,167
Amtd. dated June 1, 2005
Reply to Office Action of March 2, 2005

PATENT

REMARKS/ARGUMENTS

Claims 1-32 were pending in this application. No claims have been amended, added, or canceled. Hence, claims 1-32 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 1-3, 7-12, 14, 15, 20, 22, 23, 24, 26, 28 and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the cited portions of U.S. Patent No. 6,032,184 to Cogger, *et al.* (hereinafter "Cogger").

Claims 4-6, 30 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cogger, in view of the cited portions of U.S. Patent No. 6,219,648 to Jones, *et al.* (hereinafter "Jones").

Claims 13, 21, 25 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cogger, and further in view of the cited portions of U.S. Patent No. 6,658,586 to Levi, *et al.* (hereinafter "Levi").

Claims 16-19 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cogger, and further in view of the cited portions of U.S. Patent No. 5,963,911 to Walker, *et al.* (hereinafter "Walker").

Claim Rejections Under 35 U.S.C. § 102(b)

The Applicant respectfully traverses the rejection of all claims rejected under 35 USC § 102(b) since the cited reference does not teach all the claim limitations either explicitly or impliedly. For example, claim 1 includes the limitations, "monitoring the machine or machines; detecting that a failure of at least one machine has occurred; [and] executing a computer program on an electronic terminal associated with the failed machine." Cooger does not teach this. Cooger appears to teach a trouble ticket tracking system for computer networks. The office action says that monitoring the machines and detecting a failure are inherent. This, however, cannot be so since Cooger relates to monitoring networks, not machines, and inherent features must be present under the doctrine of inherency. Hence, Cooger does not appear to anticipate the Applicant's claims invention at least for this reason.

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More importantly, however, Cooger does not teach executing a computer program on an electronic terminal associated with the failed machine. As mentioned above, Cooger does not mention machines, much less an electronic terminal associated with a failed one of them and claim 1 is believed to be allowable for this additional reason.

Claim 20 is believed to be allowable since Cooger does not appear to teach a database server configured such that "upon receipt of a request from a remote location, the database server transmits an alert to the remote location, thereby initiating a process to alter the condition of the machine." Cooger appears to be limited to a system that enables customers to monitor the status of trouble tickets and mentions nothing about sending alerts. Claim 20, therefore, is believed to be allowable, at least for this reason.

Claim 22 includes a limitation similar to claim 20 and is believed to be allowable at least for the same reason.

Claim 28 includes a controller associated with a machine and sending an alert from the database server. Both of these limitation were addressed above with respect to claims 1 and 20. Claim 28 is, therefore, believed to be allowable, at least for these reasons.

Claim 32 includes a remote location configured to transmit an alert to a different location. This limitation was addressed generally above with respect to claim 20. Hence, claim 32 is believed to be allowable, at least for this reason.

The remaining claims all depend from one of the claims addressed above and are believed to be allowable, at least for the reasons stated above.

CONCLUSION

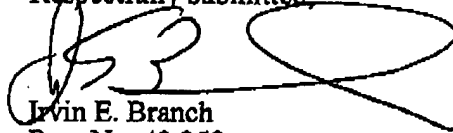
In view of the foregoing, the Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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